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APR 30 2008

ISSUES TO BE DISCUSSED

#1 – Claims 29: Holtorf does not appear to teach a foot pedal delivering one pulse of air to a control air inlet in the console. Rather, Holtorf appears to suggest that a signal is generated by the foot pedal related to the magnitude of foot pedal depression. See Col. 4, Lines 5-6 of Holtorf). Moreover, in Claim 1 (now Claim 29), the claim is not limited to one pulse of air.

#2 – Claims 32: Reimels does not appear to teach adjusting a fluid flow rate based on a duration of foot pedal depression. Rather, it appears that Reimels adjusts the fluid flow rate based on the amount of depression. (See Col. 5, Line 51 – Col. 6, Line 9 of Reimels).

#3 – Claim 40: Burbank does not appear to disclose a sensor “in contact with” a flexible tubing. The Burbank reference shows an ultrasonic sensor which depends on sound waves and not on mechanical contact between the sensor and the flexible tubing. Also, Figure 4 of Burbank shows a gap between the ultrasonic sensor 30 and the flexible tubing.

#4 – Claim 43: Burbank does not show a force sensor “in contact with” rollers. Support for a force sensor is found in paragraph 10 of the instant application.

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